

## **REMARKS**

Claim 18 has been amended. New claims 29 and 30 have been added. The amendment and the new claims are supported by the specification, at least at p. 4, line 14 through p. 5, line 19. No new matter has been added. Claims 18-30 are pending in this application.

### **Rejections under 35 U.S.C. § 112**

Claims 18-28 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, as being indefinite. The Office Action asserts that the hydrophobic web comprising a water-dispersible binder cannot be considered a structural component of claims 18-28 as filed.

The rejection of the claims under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph has been obviated by appropriate amendment. Independent claim 18 has been amended to recite a source of a hydrophobic web comprising a water-dispersible binder. As noted in the previous Request for Reconsideration, filed June 24, 2003, a hydrophobic web is defined on p. 10, lines 13-25 as a fibrous web that is not wetted by aqueous liquids. A water-dispersible binder for a web is described on p. 4, lines 20-28, and includes temperature-sensitive water dispersible binders and ion-sensitive water dispersible binders. Applicants submit that present claims 18-28 clearly recite the hydrophobic web comprising a water-dispersible binder as a structural part of the apparatus as claimed. Accordingly, the claims fully meet the requirements of 35 U.S.C. § 112, and Applicants request that this rejection be withdrawn.

### **Rejections under 35 U.S.C. § 102**

#### **Leonard et al. – U.S. Patent No. 3,844,813**

Claims 18, 22, 26 and 28 stand rejected under 35 U.S.C. § 102(b) over Leonard et al. (U.S. Pat. No. 3,844,813). The Office Actions have asserted that Leonard et al.

discloses an apparatus comprising a pair of press rolls and a solution applicator, such that a web can be made to have a moisture add-on of at least 25%. The Office Action further asserts that the web can be a water repellant material.

The rejection of the claims over Leonard et al. has been obviated by appropriate amendment. As amended, independent claim 18 recites an apparatus that includes a source of a hydrophobic web comprising a water-dispersible binder, and that can cause the web to absorb an aqueous wetting solution with an add-on of at least about 25%. In contrast, Leonard et al. is directed to the coating of woven textile fabric webs with compositions such as binder resins or finishes for repelling water or oil [col. 8, line 60 – col. 9, line 14; and col. 9, lines 24-30]. Leonard et al. discloses that the coating composition “must be compatible with and adhere to the substrate.” Thus, any hydrophobic substrates that may be disclosed in Leonard et al. would not be wetted with an incompatible aqueous wetting solution, according to the disclosure of the reference. Applicants note that the moisture absorption levels cited by the Office Action are not related to the apparatus of Leonard et al., but rather are directed to pre-wetting of certain substrates prior to their interaction with the coating apparatus [col. 11, lines 13-26]. Thus, the rolls of the Leonard et al. apparatus are not related to any moisture add-on.

Leonard et al. does not disclose an apparatus that can cause a hydrophobic web comprising a water-dispersible binder to absorb a wetting solution with an add-on of at least about 25%. Accordingly, Claims 18, 22, 26 and 28 are not anticipated by Leonard et al., as the reference does not disclose each and every element of the claims, and Applicants request that this rejection be withdrawn.

#### **Bolton et al. – U.S. Patent No. 4,447,924**

Claims 18-22 and 25-27 stand rejected under 35 U.S.C. § 102(b) over Bolton et al. (U.S. Pat. No. 4,447,924). The Office Actions have asserted that Bolton et al. discloses an apparatus comprising a pair of press rolls and a solution applicator, such

that a web can be made to have a moisture add-on of at least 25%. The Office Action further asserts that the web can be a variety of fabric materials.

The rejection of the claims over Bolton et al. has been obviated by appropriate amendment. As amended, independent claim 18 recites an apparatus that includes a source of a hydrophobic web comprising a water-dispersible binder, and that can cause the web to absorb an aqueous wetting solution with an add-on of at least about 25%. In contrast, Bolton et al. is directed to the treating of cotton-based woven fabric webs with wetting solutions containing chemical additives for the fabric [col. 6, lines 17-56]. Bolton et al. does not disclose that the cotton-based fabrics are hydrophobic, nor are these fabrics disclosed as containing a water-dispersible binder. Rather, it appears that these fabric materials readily absorb large amounts of water [col. 1, lines 16-22], such that the Bolton et al. apparatus is intended to reduce the amount of unwanted moisture in these webs.

Bolton et al. does not disclose an apparatus that can cause a hydrophobic web comprising a water-dispersible binder to absorb a wetting solution with an add-on of at least about 25%. Accordingly, Claims 18-22 and 25-27 are not anticipated by Bolton et al., as the reference does not disclose each and every element of the claims, and Applicants request that this rejection be withdrawn.

#### **Bafford et al. – U.S. Patent No. 5,089,296**

Claims 18, 12, 22 and 26-28 stand rejected under 35 U.S.C. § 102(b) over Bafford et al. (U.S. Pat. No. 5,089,296). The Office Actions have asserted that Bafford et al. discloses an apparatus comprising a pair of press rolls and a foam/solution applicator, such that a web can be made to have a moisture add-on of at least 25%. The Office Action further asserts that the web can be a paper web or a nonwoven web.

The rejection of the claims over Bafford et al. has been obviated by appropriate amendment. As amended, independent claim 18 recites an apparatus that includes a source of a hydrophobic web comprising a water-dispersible binder, and that can cause the web to absorb an aqueous wetting solution with an add-on of at least about 25%. In

contrast, Bafford et al. is directed to the application of a polymer latex release coating to paper webs. The paper webs disclosed in Bafford et al. are not hydrophobic webs comprising a water-dispersible binder, but rather are conventional paper webs such as unbleached kraft [col. 1, lines 23-40; col. 4, lines 13-19; and Examples]. It appears that these paper webs readily absorb large amounts of water [col. 2, lines 26-34], such that the Bafford et al. apparatus is intended to reduce the amount of unwanted moisture in these webs. Although other nonwoven and fiber woven substrates are disclosed, Bafford et al. does not disclose whether these substrates are hydrophobic [col. 1, lines 33-40]. Moreover, Bafford et al. discloses that the paper web may contain a resin before being used with the apparatus, but the listed resins do not include water-dispersible binders [col. 4, lines 49-58].

Bafford et al. does not disclose an apparatus that can cause a hydrophobic web comprising a water-dispersible binder to absorb a wetting solution with an add-on of at least about 25%. Accordingly, Claims 18, 21, 22 and 26-28 are not anticipated by Bafford et al., as the reference does not disclose each and every element of the claims, and Applicants request that this rejection be withdrawn.

### **Rejections under 35 U.S.C. § 103**

Claim 23 stand rejected under 35 U.S.C. § 103(a) over Leonard et al. Claims 23 and 24 stand rejected under 35 U.S.C. § 103(a) over Bolton et al. and separately over Bafford et al.. The Office Action asserts that it would be obvious to vary the gap between the rolls and/or the hardness of the roll covering through routine experimentation. Due to the similarities among the rejections over these three references, all of the rejections under 35 U.S.C. § 103 are addressed together.

The rejections of the claims under 35 U.S.C. § 103(a) have been obviated by appropriate amendment. Leonard et al., Bolton et al., and Bafford et al., alone or in combination, fail to provide each and every element of the claims. None of the applied

references teaches or suggests, nor has the Office Action asserted that any of the references teach or suggest, an apparatus that includes a source of a hydrophobic web comprising a water-dispersible binder, and that can cause the web to absorb an aqueous wetting solution with an add-on of at least about 25%. The stated rejections under 35 U.S.C. § 103(a) are directed only to the characteristics of the press rolls. The rejections on the record do not assert that it would be obvious to provide an apparatus as claimed or that it would be obvious to use an apparatus disclosed in the references to apply a wetting solution to a hydrophobic web having a water-dispersible binder. Since the applied references do not teach or suggest each and every element of independent claim 18, claims 23 and 24, which depend from claim 18, cannot be obvious over these references.

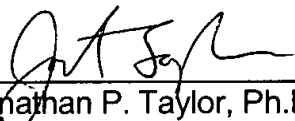
Moreover, as noted in the previous Request for Reconsideration, the separation of the press rolls and the presence of a roll cover having a particular range of hardness values are not mere obvious design considerations. These parameters of the press rolls can contribute to the unique properties of the claimed apparatus and its interaction with a hydrophobic web having a water-dispersible binder. The web as recited in the claims can be difficult to wet with an aqueous solution, and the claimed apparatus can cause an increase in the absorption of a wetting solution by the web. In contrast, the typical design rules of press rolls are directed to decreasing the amount of liquid that is absorbed by a web rather than increasing it. Thus, routine experimentation with press rolls would tend to provide a lower add-on of wetting solution to a hydrophobic web and would teach away from the apparatus as claimed. Accordingly, and in addition to the reasons given above, claims 23 and 24 are not obvious over Leonard et al., Bolton et al., or Bafford et al., whether alone or in combination. Applicants respectfully request that these rejections be withdrawn.

### Conclusion

In conclusion, all of the grounds raised in the outstanding Office Action for rejecting the application are believed to be overcome or rendered moot based on the remarks above. Thus, it is respectfully submitted that all of the presently presented claims are in form for allowance, and such action is requested in due course. Should the Examiner feel a discussion would expedite the prosecution of this application, the Examiner is kindly invited to contact the undersigned.

Respectfully submitted,

2/17/04

  
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